

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 2 and 4-19 are pending. Claims 1, 2, 9-12 and 17-19 are independent, and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

### **II. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraph [0083] of Applicant's corresponding published application.

By way of example and not limitation:

[0083] The state SC indicates that the transmission apparatus 11 cannot distribute the RTP (a multiplexed signal of the RTP and the RTCP) to the reception apparatus 13, which is the distribution destination of the RTP. It is noted, however, that the transmission apparatus 11, even in the state SC, periodically transmits the RTCP in the same manner as in the state SB.

### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §101

Claims 11 and 19 are hereby amended, thereby obviating the rejection under 35 U.S.C. §101.

### IV. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-2, 4, 5, 7-13 and 15-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over EPO Publication No. EP1178631 to Kageyama et al. (hereinafter, merely "Kageyama") in view of U.S. Patent No. 5,600,663 to Ayanoglu et al. (hereinafter, merely "Ayanoglu").

Claims 6 and 14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kageyama in view of Ayanoglu, further in view of U.S. Patent No. 7,287,201 to Nagai et al. (hereinafter, merely "Nagai").

Claim 1 recites, *inter alia*:

"...for changing the second state of transmission means to **a third state indicating that the transmission means is prohibited from transmitting the main information to the information reception apparatus,** wherein the transmission means is permitted to periodically transmit the first control information to the information reception apparatus, when the information reception apparatus does not receive the main information..." (Emphasis added)

Applicant submits that neither Kageyama nor Ayanoglu, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, neither of the references used as a basis for rejection describes **a third state indicating that the transmission means is prohibited from transmitting the main information to the information reception apparatus, wherein the transmission means is permitted to**

**periodically transmit the first control information to the information reception apparatus,**  
**when the information reception apparatus does not receive the main information,** as recited in  
claim 1.

Specifically, the Office Action (see page 6) asserts that Kageyama discloses a  
state "Rejected" when target device can not accept the request, and refers to Kageyama,  
paragraphs [0057], [0079]-[0080] and [0123], which are reproduced as follow:

[0057] The IEEE1394 conforms to the CSR (Control & Status Register) architecture having a 64-bit address space specified in ISO/IEC13213. FIG. 9 is a diagram explaining the structure of address space of the CSR architecture ... The values of all bits being 1 are used for a special purpose, and a total of 1023 buses and 63 nodes can be designated.

[0115] The CTS shows the ID of command set, and CTS=0000 in the AV/C command set ... (4) command for requesting to notify status change to the outside (NOTIFY).

[0116] The response is sent back depending on the type of the command. Responses to control (CONTROL) command include "Not implemented" (NOT IMPLEMENTED), "Accepted" (ACCEPTED), "Rejected" (REJECTED), and "Interim" (INTERIM). Responses to status (STATUS) command include "Not implemented" (NOT IMPLEMENTED), "Rejected" (REJECTED), "In transition" (IN TRANSITION), and "Stable" (STABLE). Responses for inquiring presence or absence of support of command from the outside (GENERAL INQUIRY and SPECIFIC INQUIRY) include "Implemented" (IMPLEMENTED) and "Not implemented" (NOT IMPLEMENTED). Responses to command for requesting to notify status change to the outside (NOTIFY) include "Not implemented" (NOT IMPLEMENTED), "Rejected" (REJECTED), "Interim" (INTERIM), and "Changed" (CHANGED).

[0159] Suppose the third controller (node D) transmits a notify command to notify the change about state Y to the target (node A) (step S27). Receiving this command, the target (node A) sends a rejected (REJECTED) response to the third controller (node D) because there is no vacancy in the cue storage area, and it is notified that the notify command is not accepted (step S28). In the third controller (node D) where the notify command is rejected, a command of notify of notify to inform occurrence of vacancy in the cue storage area is transmitted to the target (node A) (step S29).

Thus, Applicant submits that in Kageyama, the target sends a rejected  
(REJECTED) response to the third controller, and it is notified that the notify command is not  
accepted, but nothing teaches that when the target does not receive the main information, the  
third controller periodically transmits the first control information to the target.

However, in the present invention, paragraph [0083] of Applicant's corresponding  
published application describes the third state SC, and is reproduced as follow:

[0083] The state SC indicates that the transmission apparatus 11 cannot distribute the RTP (a multiplexed signal of the RTP and the RTCP) to the reception apparatus 13, which is the distribution destination of the RTP. It is noted, however, that the transmission apparatus 11, even in the state SC, periodically transmits the RTCP in the same manner as in the state SB.

Thus, in the present invention, in the state SC, although the transmission apparatus cannot distribute the RTP to the reception apparatus, it periodically transmits the RTCP in the same manner as in the state SB.

Thus, nothing has been found in Kageyama that would teach **a third state indicating that the transmission means is prohibited from transmitting the main information to the information reception apparatus, wherein the transmission means is permitted to periodically transmit the first control information to the information reception apparatus, when the information reception apparatus does not receive the main information**, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2, 9-12 and 17-19 are also patentable.

## **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken

as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

### CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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